

# PRV

PATENT- OCH REGISTRERINGSVERKET  
Patentavdelningen

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(71) Sökande *Pharmacia & Upjohn AB, Stockholm SE*  
Applicant (s)

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För Patent- och registreringsverket  
For the Patent- and Registration Office

*Hjördis Segerlund*  
Hjördis Segerlund

Avgift  
Fee *170:-*

## NEW USE

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### Technical field

5 The present invention relates to materials for packaging nicotine-containing products.

### Background art

For many years tobacco smoking has been one of the major health problems throughout the world. Smoking is now recognized as the main cause for e.g. high blood pressure and lung cancer. However, because of the addictive nature of nicotine it is utterly difficult for heavy smokers to completely stop smoking. An acceptable alternative to smoking has been to provide nicotine in a form or manner other than by smoking, e.g. as a chewing gum containing nicotine as an active ingredient, see e.g. US 3,845,217. Other products used as substitutes for smoking are tablets containing nicotine, see e.g. US 5,543,424, devices for allowing nicotine to be inhaled through an elongated tube, see 15 e.g. US 5,501,236, nicotine containing nasal sprays, see e.g. US 5,656,255, patches for administering nicotine transdermally, see e.g. US 4,915,950, etc.

The primary requirement when packaging drugs and food is the demand that the package must protect the product against penetration of moisture and oxygen from the environment. Very seldom the product itself constitutes any problems. Nicotine, on the 20 other hand, is very aggressive towards its environment and migrates through most known materials. It is also very hygroscopic and therefore sensitive to moisture and when exposed to oxygen or air the nicotine turns brown. Because of the toxicity of nicotine and because the expected shelf-life for nicotine containing products is as long as up to two years, commonly used materials within the package industry, e.g. polypropylene, 25 polyethylene and polyvinyl chloride therefore cannot be used for nicotine containing products.

A known polymer which fulfills the requirements of oxygen, water and nicotine impermeability is commercially available under the trademark Barex<sup>®</sup>, being a copolymer made of acrylonitrile and methylmethacrylate and grafted to nitrile rubber on the main 30 chain. Due to the copolymerization with methylmethacrylate the polymer becomes softer and is possible to process. Barex<sup>®</sup> is available with different amounts of nitrile rubber, is amorphous and is a glass polymer at room temperature.

The temperature range within which Barex<sup>®</sup> may be processed is, however, very narrow rendering the polymer difficult to process resulting in a large amount of discarded material. This is partly due to Barex<sup>®</sup> having a temperature dependent elasticity. Today, Barex<sup>®</sup> is also associated with a high price.

5 The use of Barex<sup>®</sup> in a nicotine impermeable container is disclosed in US 5,501,236.

#### **Summary of the invention**

It is therefore an object of the present invention to provide an alternative material to Barex<sup>®</sup>, which exhibits favorable characteristics of oxygen, water and nicotine impermeability, but which does not suffer from the above-mentioned drawbacks. According to  
10 the invention it is therefore suggested an alternative nicotine impermeable packaging material for a nicotine-containing product having the characterizing features of the claims.

The material of the invention comprises polyethylene naphthalate, polytrimethylene  
15 naphthalate and/or a liquid crystal polymer, LCP, and has excellent characteristics of oxygen, water and nicotine impermeability. Due to the temperature ranges the polymers of the invention are favorable to process and will have an acceptable price. The material of the invention is known *per se*, but its excellent nicotine barrier properties have not been known. Neither has its use for making packages for nicotine-containing products been  
20 contemplated.

#### **Detailed description of the invention**

The packaging material of the invention is intended for use in connection with nicotine containing products for therapeutic treatment of patients having an addiction to nicotine. Examples of such products are chewing gums, sublingual tablets, nasal sprays,  
25 nicotine patches and nicotine inhaling devices, all marketed through Pharmacia & Upjohn. These products are all classified as drugs and thus, the requirements of product stability are high. The expected shelf life is two years without any noticeable change regarding composition, concentration and dosage. Specific ranges for allowed variations have been established in accordance with requirements from the authorities, e.g. Food  
30 and Drug Administration, FDA, in the USA.

In chewing gums the nicotine is usually present in the form of a complex with an insoluble cation-exchanger, which is disbursed in a gum base, in order to be stabilized. In

tablets the nicotine is usually present in the form of an inclusion complex. Only small amounts, if any, of nicotine are in contact with the package for chewing gums and tablets and thus, the demand for a nicotine barrier becomes lower for these products. The pH for a chewing gum is usually slightly above 4.

5        In nasal spray the nicotine is present in a liquid solution having a concentration of approximately 10 mg/ml and a pH of approximately 7. The nasal spray is distributed in glass flasks inert to the aggressiveness of nicotine. However, the nicotine solution also comes into contact with seals and pumping devices made of polymeric material.

10       In a patch and in an inhaling device primarily nicotine vapor comes into contact with the package. Here the concentration depends on the vapor pressure of the nicotine that varies with temperature. In room temperature the concentration in a patch is approximately 250 mg/ml. In a patch and in an inhaling device the pH is approximately 9 - 10.

15       A number of factors are important when materials for nicotine-containing packages are chosen. The nicotine must not migrate through the packaging material and disappear from the system or be accumulated uncontrollably in the packaging material. Also, the nicotine must be protected from oxygen due to the fact that it is easily decomposed in contact with air or oxygen. Products containing nicotine also turns brown or yellow when only small amounts of decomposition products are present resulting in cosmetic drawbacks long before any stability limits have been passed. A good oxygen barrier is  
20       therefore of utmost importance.

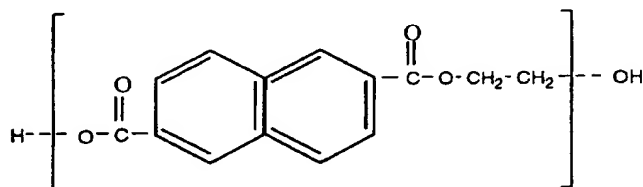
      Besides the above mentioned primary demands on good nicotine resistance and low oxygen permeability, other important factors to take into consideration regarding packaging materials for nicotine-containing products are water and moisture permeation, processability, price and environmental impact.  
25      

      The water barrier is important especially in the nasal spray where loss of water has large impact on the concentration of the product. Water barrier characteristics are also important in other forms of distribution since water may have an impact on permeation characteristics of the polymer. Great consideration should also be taken to the process-  
30       ability since large-scale industrial production is considered where even small problems may involve large costs.

With the aim to find a packaging material for the packaging of a nicotine-containing product, which fulfills the above mentioned demands two different types of polymers, were found.

The first of these materials is PEN, polyethylene naphthalate:

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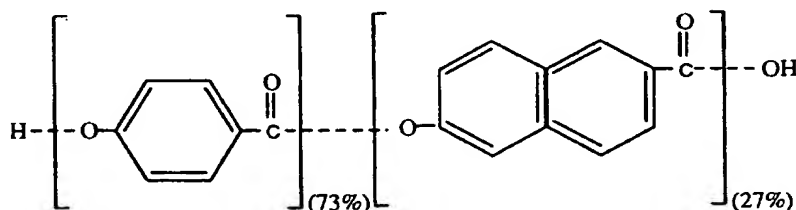
PEN is a polyester based on dimethyl-2,6-naphthalene dicarboxylate or 2,6-naphthalene dicarboxylic acid monomers. Dimethyl-2,6-naphthalene dicarboxylate and -2,6-naphthalene dicarboxylic acid monomers are e.g. sold by Amoco under the trade name NDC and NDA-monomer respectively. PEN is semicrystalline and is a glass polymer at room temperature.

There are other polymers, such as PTN (polytrimethylene naphthalate) which are based on the same monomers. PTN differs from PEN only in that the ethylene chain has been exchanged to a propylene chain. It is also envisageable to use polymers comprising both dimethyl-2,6-naphthalene dicarboxylate or 2,6-naphthalene dicarboxylic acid monomers.

PEN differs from PET (polyethylene terephthalate), which is a another, more commonly used polyester, in that the benzene ring in the PET molecule has been exchanged for naphthalene in PEN. This makes the PEN structure more rigid than the PET structure and the features of PEN more favorable for this invention than the features of PET.

The second nicotine impermeable polymer of the invention is polyester based Liquid Crystal Polymer, LCP. One example thereof is Vectra® A 530 having the following structure:

25



LCPs constitute a group of materials, which have a characteristic molecular structure. LCP polymers consist of rigid rod-like macromolecules that align in the melt to produce a liquid-like structure. This specific structure brings considerable improvement in mechanical properties compared with conventional polymers and a number of other exceptional properties. The monomers are hydroxy benzoic acid and hydroxy naphthenic acid. A typical LCP polymer, such as the above-mentioned Vectra® A 530, is filled with 30 % of mineral filler. The LCP material has a dense structure as a consequence of high crystallinity, is chemically resistant and has extremely low diffusion rates for oxygen and water.

According to the invention it was surprisingly found that in addition to the above mentioned barrier properties against water and oxygen PEN, PTN and LCP also exhibit excellent barrier properties against nicotine. In below Table 1 is shown a comparison of the properties of Barex® 210, PEN 14991 and Vectra® A 530. For comparison is added a polymer, Isoplast 2530 (a polyurethane having better barrier characteristics than other polyurethanes due to its high glass transition temperature), which does not have good nicotine impermeability.

Barex® is marketed by British Petroleum, PEN by Shell and by Eastman, Vectra® by Ticona and Isoplast by Dow.

**Table 1**

<b>Material Properties</b>				
<b>Material</b>	<b>Barex 210</b>	<b>PEN 14991</b>	<b>Vectra A 530</b>	<b>Isoplast 2530</b>
<b>Opacity</b>	Transparent	Transparent	Opaque	Transparent
<b>Morphology</b>				
<b>Crystallinity</b>	Amorphous	Semi crystalline	High Crystalline	Amorphous
<b>Permeability</b>				
<b>Oxygen</b> $\text{cm}^3 \cdot \text{mm} / \text{m}^2 \cdot \text{day} \cdot \text{atm}$	0,3	1,5	0,02	2,4
<b>Water</b> $\text{g} \cdot \text{mm} / \text{m}^2 \cdot \text{day}$	2.0	0,7	0,05	1,2

cont. page 6

cont. Table 1

Material Properties				
Material	Barex 210	PEN 14991	Vectra A 530	Isoplast 2530
Nicotine Resistance	Excellent	Excellent Equivalent to Barex	Excellent Equivalent to Barex	Not acceptable Inferior to Barex
<b>Processing</b>				
Extrusion	+	+	+	+
Injection Molding	+	+	+	+
Vacuum Forming	+	+	-	
Blow Molding	+	+		+
<b>Applications</b>				
Film	+	+	+	+
Laminate	+	+	+	+
Injection Mould details	+	+	+	+
Blow Mould details	+	+		+
Blisters	+	+	-	

5 The nicotine resistance of the captioned polymer materials was investigated with sorption tests as follows. Pieces of the respective materials were placed in glass bottles containing nicotine solution and were stored therein at room temperature for 1, 2 and 4 weeks. Subsequently the amounts of nicotine sorbed into the respective polymer materials were extracted from the polymers and analyzed by UV, HPLC and GC. The values  
10 for Barex 210 were used as reference levels.

As explained above PTN, marketed through Shell, is chemically very similar to PEN. In polymer chemistry it is a commonly accepted principle that close chemical similarity implies similar physical/chemical properties. Hence the above good results for PEN implies that also PTN has good nicotine barrier properties.

15 The nicotine impermeable polymers PEN and PTN of the invention can be used alone in film applications or may be combined with other barrier materials in a laminate to further improve the barrier characteristics of the packaging material. Suitable materials for laminating are metal, especially aluminium, foils and other polymers, e.g. polyacrylonitrile (PAN), polyamide (PA), polyvinylidene chloride (PVDC), and fluoropolymers, all

of which are good oxygen and water barriers. Other polymer materials also suitable are ethylene vinyl alcohol copolymer (EVOH) and polyvinyl alcohol (PVA), which are excellent oxygen barriers, and ionomers (i.e. ionically crosslinked thermoplastic polymers, whereof Surlyn<sup>®</sup> from DuPont is an example), polyethylene (PE), and polypropylene (PP), which have good water barrier properties.

LCP is most suitable for use in injection molded applications. PEN, PTN and LCP may be alloyed with other polymers, such as PET. Such an alloy can then be processed as PET, but due to the incorporation of PEN, PTN or an LCP the alloy is conferred superior barrier properties compared to pure PET.

The invention will now be further described and illustrated by reference to the following example. It should be noted that this example should not be construed as limiting the invention in any way.

#### Example 1

An endless sheet of aluminium foil, which optionally on one face is laminated with a thin polymer layer, of e.g. polyethylene or polyethylene terephthalate, is rolled off from a storage roll and passes an applicator which on the other side of the aluminium foil or aluminium foil laminate applies a continuous layer of PEN, PTN or an LCP, by means of an extrusion coating device. The thickness of the aluminum foil is within the range of 5 – 50  $\mu\text{m}$ , preferably within the range of 8 – 20  $\mu\text{m}$ . The amount of applied polymer may vary, but the thickness thereof is preferably such that a well integrated and substantially intact layer is formed after drying. A suitable thickness range of PEN, PTN or an LCP is 1 – 100  $\mu\text{m}$ , preferably 8 – 50  $\mu\text{m}$ .

Subsequently patch pouches are manufactured by dividing the laminate into two sheets forming an upper and a lower part of the patch pouch. Subsequently and by means of a vacuum device a nicotine-containing patch is placed on one of the sheets whereupon the other sheet is placed on the patch. Finally the sheets are heat sealed together along their edges to form a pouch.

In Example 1 the nicotine impermeable materials are used to make a package which totally encloses a nicotine-containing product. The present materials are also useful for partially enclosing and/or for sealing a package for a nicotine-containing product. PEN, PTN and LCP, may also be used for all other applications where presently Barex<sup>®</sup> is used. One such application is the sealing of polymer tubes, containing polymer plugs



with nicotine, for the nicotine inhaling device presently marketed by Pharmacia & Upjohn and in essence being disclosed in US 5,501,236. Also said polymer tubes may be made of the materials according to the present invention. Such tubes may e.g. be made by injection molding. The materials may also be used in blisters for nicotine chewing  
5 gums or tablets and for sealing glass flasks containing nicotine nasal spray.

## CLAIMS

1. A material for packaging a nicotine-containing product, c h a r a c t e -  
5 r i z e d in that it comprises a polymer based on dimethyl-2,6-naphthalene dicarboxynate  
and/or 2,6-naphthalene dicarboxylic acid monomers.
2. A material for packaging a nicotine-containing product, c h a r a c t e -  
r i z e d in that the material comprises a liquid crystal polymer, LCP.
- 10 3. A material according to claim 1, c h a r a c t e r i z e d in that the polymer is  
polyethylene naphtalate, PEN.
4. A material according to claim 1, c h a r a c t e r i z e d in that the polymer is  
15 polytrimethylene naphtalate, PTN.
5. A material according to claim 2, c h a r a c t e r i z e d in that the LCP com-  
prises hydroxy benzoic acid and hydroxy naphtenic acid.
- 20 6. A material according to any one of the preceding claims, c h a r a c t e -  
r i z e d in that it further comprises other polymer(s), preferably one or more of polyac-  
rylonitrile (PAN), polyamide (PA), polyvinylidene chloride (PVDC), fluoropolymers,  
ethylene vinyl alcohol copolymer (EVOH), polyvinyl alcohol (PVA), ionomers, polyeth-  
ylene (PE), and polypropylene (PP) and polyethylene terephthalate (PET).
- 25 7. A material according to anyone of the preceding claims, c h a r a c t e -  
r i z e d in that it is laminated with a metal foil.
8. A material according to claim 7, c h a r a c t e r i z e d in that it is laminated  
30 with aluminum foil.

9. A material according to anyone of the preceding claims, characterized in that it is used for totally enclosing, partially enclosing and/or for sealing a package for a nicotine containing product.

5 10. A material according to anyone of the preceding claims, characterized in that it is used for packaging a patch for transdermally administering nicotine, a nicotine containing chewing gum, a nicotine containing tablet, a spray for nasal administration of nicotine, or a device for inhaling nicotine.

10 11. Use of a material according to anyone of the preceding claims for the manufacturing of a package for keeping nicotine-containing products.

**ABSTRACT**

A material for packaging a nicotine containing product comprising a polymer based on dimethyl-2,6-naphthalene dicarboxynate or 2,6-naphthalene dicarboxylic acid monomers, such as polyethylene naphthalate (PEN) or polytrimethylene naphthalate (PTN), or a liquid crystal polymer (LCP).

The material may be laminated to another polymer or to metal foil.

**PRV**PATENT- OCH REGISTRERINGSVERKET  
Bolagsavdelningen

JC181 PCT/PTO 20 JUL 2001

CERTIFICATE OF REGISTRATION

**SWEDEN**

Registration number: 556131-9608  
Date of registration: 1969-12-30  
Company name: Pharmacia Aktiebolag  
Address:  
  
Registered office: 112 87 STOCKHOLM  
Stockholm  
Share capital: SEK 6.393.802.825

**BOARD OF DIRECTORS:**

490724-5932 Alm, Harald Oskar Fredrik, Hollywoodvägen 16,  
191 77 SOLLENTUNA  
550602-0071 Berg, Nils Fredrik, Ehrenstrahlsvägen 62,  
168 51 BROMMA  
450401-4194 Håkansson, Nils Roland, (A), Lokvägen 25 F,  
260 33 PÅARP  
461008-4719 Persson, Gustav Lennart, (A), Gevärsgatan 1,  
262 62 ÄNGELHOLM  
491214-0326 Widén, Ingela Elisabet, (A), Skorpvägen 20,  
161 71 BROMMA  
470417-9193 Åström, Per Håkan Albin, (U), (O),  
126 Southern Boulevard, NJ 07928, CHATHAM NEW JER, USA

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112 43 STOCKHOLM  
450107-5719 Mandrén, Ulf Holger, (A), Tegvägen 1,  
743 34 STORVRETA  
470721-1977 Wahlén, Hans Harald Wilhelm, Vasagatan 1C,  
753 13 UPPSALA

**MANAGING DIRECTOR:**

470417-9193 Åström, Per Håkan Albin, (U), (O),  
126 Southern Boulevard, NJ 07928, CHATHAM NEW JER, USA

**DEPUTY MANAGING DIRECTOR:**

550602-0071 Berg, Nils Fredrik, Ehrenstrahlsvägen 62,  
168 51 BROMMA

**OTHER PERSONS AUTHORIZED TO SIGN ON BEHALF OF THE COMPANY:**

560723-5131 Härfstrand, Karl Anders Olof, (U), Sibyllegatan 53,  
114 43 STOCKHOLM

CONTD.

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490802-2520 Kilian, Patricia, Höguddsvägen 18 A, 181 62 LIDINGÖ  
 500126-0230 Lindqvist, Ulf Erik Åke, Bergshällsvägen 15,  
 187 34 TÄBY  
 520127-5012 Olving, Raoul Lennart, (U), Österplan 13,  
 753 31 UPPSALA  
 410109-8251 Sievertsson, Hans Uno, Rystavägen 5, 183 46 TÄBY  
 560906-4711 Svenberg, Anders Erik Gösta, Vansövägen 55,  
 125 40 ÄLVSJÖ  
 501002-1698 Weitzberg, Nathanael, Nockebyvägen 3, 167 71 BROMMA  
 500510-7056 Örström, Hans Erik Martin, Ersbackavägen 3,  
 816 30 OCKELBO

**COMPANY AUDITORS:**

491031-9039 Bladh, Björn Peter Tommy, Fadderortsgränd 5,  
 165 72 HÄSSELBY  
 460515-0657 Tidström, Hans Göran, Knut Wallenbergs väg 39,  
 133 00 SALTSJÖBADEN

**DEPUTY AUDITORS:**

571022-1101 Blom, Eva Mari, Odalvägen 6, 740 22 BÄLINGE  
 470411-7219 Danielsson, Åke Nils Gunnar, Neptunistigen 70,  
 162 40 VÄLLINGBY

**SIGNATORY POWER:**

In addition to the Board of Directors,  
 any two jointly of

Alm, Harald Oskar Fredrik  
 Berg, Nils Fredrik  
 Åström, Per Håkan Albin  
 Härfstrand, Karl Anders Olof  
 Kilian, Patricia  
 Lindqvist, Ulf Erik Åke  
 Olving, Raoul Lennart  
 Sievertsson, Hans Uno  
 Svenberg, Anders Erik Gösta  
 Weitzberg, Nathanael

CONTD.

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 Stockholm  
 Share capital: SEK 6.393.802.825

Örström, Hans Erik Martin  
 are entitled to sign on behalf of the company.

Furthermore, the Managing Director, in his normal business activities, is also entitled to sign on behalf of the company.

**SECONDARY NAMES:**  
 Citytappen

**FINANCIAL YEAR:**  
 Registered financial year: 0101-1231  
 Latest annual report submitted covers financial period 990101-991231

**DATE OF REGISTRATION OF CURRENT AND PREVIOUS COMPANY NAMES:**  
 2000-09-28 Pharmacia Aktiebolag  
 1996-07-01 Pharmacia & Upjohn Aktiebolag  
 1993-11-17 Pharmacia Aktiebolag  
 1984-12-27 Procordia Aktiebolag  
 1969-12-30 Statsföretag Aktiebolag

SUNDSVALL 2000-10-04  
 Ex officio

*Bente Ohlsson*  
 BEN TE OHLSSON



- (O) = chairman of the board
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- (U) = person resident outside EEA
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